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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,343	09/27/2001	Daniel Eames Linstedt	021582-9001	3718

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EXAMINER

KINDRED, ALFORD W

ART UNIT PAPER NUMBER

2163

DATE MAILED: 01/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/965,343

Applicant(s)

LINSTEDT, DANIEL EAMES

Examiner

Alford W. Kindred

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-- Th MAILING DATE f this communication appears n th cover sheet with the correspond nce address --
Period f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 44-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 44-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication: Reconsideration filed on 7/13/04.

This action is made final.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 44-48 are rejected under 35 U.S.C. 102(e) as being anticipated by Pace et al., US# 2003/0051236 A1.

As per claims 44 and 46, Pace et al. teaches “at least two hubs, wherein each of the at least tow hubs includes a primary key, a stamp indicating the loading time . . .” (see page 63, paragraph [0977] and see page 57, paragraph [0856]) “two satellites, wherein each of the at least two satellites is coupled . . . parent-child relationship . . .” (see page 71) “a link to provide a one-to-many relationship between two to the at least two hubs . . .” (see page 52, [0799]).

As per claim 44, Pace et al. teaches “determine which business rules apply to which data” (see page 46, paragraph [0685]).

As per claim 45, Pace et al. teaches "at least two satellites further includes at least one of a primary key . . . aggregation . . ." (see page 56, paragraph [0846] and page [0856]).

As per claim 47, Pace et al. teaches "wherein the link includes at least two foreign keys and a stamp" (see page 41, paragraph [0585] and see pages 34-35, paragraph [0481]).

As per claim 48, Pace et al. teaches "an associated business key and a stamp . . . business key" (see page 28, paragraph [0402] and page 30, paragraph [0423]).

Response to Arguments

4. Applicant's arguments filed 07/13/04 have been fully considered but they are not persuasive.

--As per applicant's arguments regarding "the '236 reference teaches that a 'a process . . . ' uses a time stamp . . . applicant has no reason to believe that it is a data storage device or hub . . .", examiner maintains that the Pace reference teaches a time stamp element which includes the recording of time of a process action, which includes an element of indicating a time in which data is processed or loaded. Pace teachings are similar to applicant's teaching of indicating a loading time, and therefore the rejection is maintained. Further, Pace's use of 'process asset adapter method/process' is a process that has stored commands and therefore could act as hub or data storage device, since applicant's specification describes various aspects of a hub (i.e. robot hub, hub table, single hub, Domain hub, pair hub, etc.). The claim language does not specify

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which hub (i.e. with or without the use of a computer) applicant's claim language is referring to therefore examiner, drawing inference from applicant's specification, considers Pace's teachings above relevant to applicant's use of the term "hub".

--As per applicant's arguments regarding "the word "satellites does not appear on page 71 . . .", examiner maintains that Pace's teachings of a hierarchical structure includes teachings similar to applicant's linking of satellites via a hub. Applicant's description of satellites on pages 12-14 of the specification does not explicitly define satellite, it goes to list various types of satellites (i.e. satellite table, satellite 360, satellite entity, attribute satellite 368, etc.). Therefore examiner, drawing inference from applicant's specification, examiner considers the term satellite as being an entity in a parent child relationship which is similarly to Pace's teachings of a hierarchical structure.

--As per applicant's teachings regarding "Applicant uses primary and foreign keys, but in a different manner . . .", examiner maintains that Pace's teachings of primary and foreign keys are synonymous to applicant use of the terms primary and foreign keys and therefore the rejection is maintained.

Conclusion

5. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

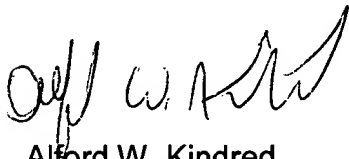
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alford W. Kindred whose telephone number is 571-272-4037. The examiner can normally be reached on Mon-Fri 9:00 am- 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on (571) 272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Alford W. Kindred', is positioned above the printed name.

Alford W. Kindred
Patent Examiner
Tech Ctr. 2100